

REMARKS

The foregoing amendments and the following remarks are responsive to the Office Action mailed June 19, 2001. Applicants respectfully requests reconsideration of the present application.

Claims 14, 20-21, and 23 have been cancelled. Claims 1-13, 15-19, 22, 24-29, 33, 35, 41-42, 46, 50, 52, 56, 64 have been amended. Claims 1-13, 15-19, 22, and 24-70 remain pending in this application. No new matter is added by these amendments.

Double Patenting Rejection

The Office Action rejected claims 1-70 under the judicially created doctrine of double patenting over claims 1-2, and 4-5 of Busey (U.S. Patent No., 5, 794,916). Applicants have filed a terminal disclaimer in compliance with 37 CFR 1.521(c) to overcome the nonstatutory double patenting rejection. The present application and U.S. Patent No. 5,794, 916 are commonly owned. Accordingly, Applicants respectfully submit that the double patenting rejection no longer applies.

Rejections under 35 U.S.C. § 103(a)

A. Claims 1-4, 14-16, 18-21, 29-32, 46-49, and 56-63

The Office Action rejected claims 1-4, 14-16, 18-21, 29-32, 46-49, and 56-63 under U.S.C. § 103(a) as being unpatentable over Walker (U.S. Patent No., 5,862,223) in view of WebBoard. Applicants respectfully submit that these claims are not rendered obvious by Walker or WebBoard, alone or in combination, because these references do not suggest or teach each and every element in these claims.

Walker relates to an expert matching method and apparatus for managing communications between an expert having particular qualifications and an end user seeking a solution to an expert request. (See Walker, Abstract). Walker discloses two embodiments, one is asynchronous and the other is synchronous. (See Walker, Detailed Description, col. 26, ll. 15-26). In the synchronous embodiment, an end user can request a synchronous communication channel when he makes an initial end user request. Walker describes the communication channel as a standard text messaging window or other real time communication such as telephone or videoconferencing. (See Walker, col. 26, ll. 45-67). However, Walker does not disclose, teach, or suggest a system that transmits mark-up language instructions in real-time (synchronous) communications such as chat.

WebBoard is a Web-based messaging system that allows site administrators to create read-only message board or interactive discussion forums. (See WebBoard, p.2) WebBoard simply enhances the traditional bulletin board by allowing users to incorporate HTML tags in their messages that they post. WebBoard does not, however, disclose, teach or suggest a system that transmits mark-up language instructions in real-time (synchronous) communications such as chat.

Accordingly, neither Walker or WebBoard, alone or in combination teach each and every element of these claims. At best, Walker in combination with WebBoard teaches a messaging board with incorporated HTML tags with the asynchronous embodiment in Walker. However, this combination still does not teach transmitting mark-up language instructions in real-time (synchronous) communications such as chat.

Independent claims 1, 29, 46, and 56 have been amended to clarify that the real time network communication relates to chat. One of a chat client and a chat server embeds a markup language instruction in a chat-session message and sends the message on a real time communications protocol connection. Neither Walker nor WebBoard, individually or in combination, disclose, suggest or teach these elements. Accordingly, Applicants respectfully submit that these references do not render independent claims 1, 29, 46, and 59 obvious.

Dependent claims 2-4, 14-16, 18-21, 30-32, 47-49, and 57-63 depend directly or indirectly on independent claims 1, 29, 46, and 56. Therefore, these dependent claims include all the limitations of the independent claims as well as additional limitations. Thus, for at least the same reasons advanced above with respect to independent claims 1, 29, 46, and 56, Applicants respectfully submit that the references, individually or in combination, do not render these dependent claims obvious.

B. Claim 17

The Office Action rejected claim 17 under U.S.C. § 103(a) as being unpatentable over Walker in view of WebBoard, and further in view of Reviews, Eudora Pro 3.0. Dependent claim 17 depends from claim 16 which in turn, depends from claim 15. Claim 15 has been amended to depend from claim 1. Accordingly, dependent claim 17 depends indirectly from claim 1. Therefore, dependent claim 17 includes all the limitations of independent claim 1 as well as additional limitations. Thus, for at least the same reasons advanced above with respect to independent claim 1, Applicants

respectfully submit that Walker and WebBoard, individually or in combination, do not render dependent claim 17 obvious.

Eudora relates to an e-mail tool used by people who use the Internet for the bulk of their e-mail. (See Eudora, p. 2). Eudora automatically colors and underlines Uniform Resource Locators (URLs) in every message. Then, command-clicking on the URL launches any Internet application specified. (See Eudora, p.1). Eudora does not disclose, suggest or teach transmitting a mark-up language instructions in real-time (synchronous) communications such as chat.

Walker and WebBoard in combination with Eudora at best teach a message board or email system with Walker's asynchronous embodiment. However, Applicants respectfully submit that Walker, WebBoard, and Eudora, individually or in combination, do not teach transmitting a mark-up language instructions in real-time (synchronous) communications such as chat. Accordingly, Applicants respectfully submit that claim 17 is not rendered obvious by Walker, WebBoard and Eudora, alone or in combination, because these references do not suggest or teach each and every element of claim 17.

C. Claims 5-9, 22-28, 33-45, 50-55, and 64-70

The Office Action rejected claims 5-9, 22-28, 33-45, 50-55, and 64-70 under U.S.C. § 103(a) as being unpatentable over Walker in view of WebBoard and further in view of Eudora Pro. Applicants respectfully submit that these claims are not rendered obvious by Walker, WebBoard, and Eudora, alone or in combination, because these references do not suggest or teach each and every element in these claims.

As discussed above, Walker and WebBoard in combination with Eudora at best teach a message board or email system with Walker's asynchronous embodiment. In addition, Applicants respectfully submit that Walker, WebBoard, and Eudora, individually or in combination, do not teach transmitting a mark-up language instructions in real-time (synchronous) communications such as chat.

Independent claims 5, 22, 33, 39, 50, and 64 have been amended to clarify that the real time network communication relates to chat. One of a chat client and a chat server embeds a markup language instruction in a chat-session message and sends the message on a real time communications protocol connection. Applicants respectfully submit that Walker, WebBoard, and Eudora, individually or in combination, do not teach these elements. Accordingly, Applicants respectfully submit that these references do not render independent claims 5, 22, 33, 39, 50, and 64 obvious.

Dependent claims 6-9, 23-28, 34-45, 51-55, and 65-70 depend directly or indirectly on independent claims 5, 22, 33, 39, 50, and 64. Therefore, these dependent claims include all the limitations of the independent claims as well as additional limitations. Thus, for at least the same reasons advanced above with respect to independent claims 5, 22, 33, 39, 50, and 64, Applicants respectfully submit that the references, individually or in combination, do not render these dependent claims obvious.

D. Claims 10, and 12-13

The Office Action rejected claims 10, and 12-13 under U.S.C. § 103(a) as being unpatentable over Walker and WebBoard and further in view of Arnstein (U.S. Patent No. 5,793,966). Applicants respectfully submit that claims 10, and 12-13 are not

rendered obvious by Walker, WebBoard, and Amstein, individually or in combination, because these references do not suggest or teach each and every element in these claims.

As discussed above, Walker and WebBoard in combination with Eudora at best teach a message board or email system with Walker's asynchronous embodiment. In addition, Applicants respectfully submit that Walker, WebBoard, or Eudora, individually or in combination, do not teach transmitting a mark-up language instructions in real-time (synchronous) communications such as chat.

Amstein relates to a computer system for creating, developing, and/or modifying on-line services in a client-server information system. (See Amstein, Field of the Invention). Amstein discloses an embodiment of a client/server computer system where communication is performed using HTTP protocol over a TCP/IP connection. (See Amstein, Detailed Description, col. 12, ll. 18-22). The Office Action stated that it would have been obvious to substitute Amstein's communication protocol connections over TCP/IP for Walker's synchronous communications channel to increase system effectiveness. Although this may be true, the other references still fail to disclose, teach, or suggest transmitting mark-up language instructions in real-time (synchronous) communications such as chat. Accordingly, Amstein's teaching of communication protocol connections over TCP/IP is irrelevant.

Independent claim 10 has been amended to clarify that one of a chat client and a chat server receives a chat-session message including a hyperlink language instruction. Walker, WebBoard, Eudora, and Amstein, individually or in combination, do not teach these elements. Accordingly, Applicants respectfully submit that independent claim 10 is not rendered obvious by these references.

Dependent claims 12-13 depend directly on independent claim 10. Therefore, these dependent claims include all the limitations of independent claim 10 as well as additional limitations. Thus, for at least the same reasons advanced above with respect to independent claim 10, Applicants respectfully submit that the references, individually or in combination, do not render these dependent claims obvious.

E. Claim 11

The Office Action rejected claim 11 under U.S.C. § 103(a) as being unpatentable over Walker, WebBoard, and Arnstein and further in view of Eudora Pro. Claim 11 depends directly on claim 10. Therefore, claim 11 includes all the limitations of independent claim 10 as well as additional limitations. Thus, for at least the same reasons advanced above with respect to independent claim 10, Applicants respectfully submit that claim 11 is not rendered obvious by Walker, WebBoard, Arnstein, and Eudora, individually or in combination, because these references do not suggest or teach each and every element in claim 11.

In view of the foregoing amendments and remarks, applicants respectfully submit that all pending claims are in condition for allowance. Such allowance is respectfully requested.

If the Examiner finds any remaining impediment to the prompt allowance of these claims that could be clarified with a telephone conference, the Examiner is respectfully to contact Archana B. Vittal at (408) 720-8300.

Deposit Account Authorization

Authorization is hereby given to charge our Deposit Account No. 02-2666 for any charges that may be due.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Original Signed By

AU

Dated: 12/12, 2001

Archana B. Vittal
Attorney for Applicant
Registration No. 45,182

12400 Wilshire Boulevard
Seventh Floor
Los Angeles, CA 90025-1026
(408) 720-8300

MARKED UP VERSION OF CLAIMS

1. (Amended) A method for real time network communication, comprising:
forming a real time communications protocol connection between a chat client
and a chat server over a network communications connection;
one of the chat client and the chat server embedding a markup language
instruction in a chat-session message; and
the one of the chat client and the chat server sending the chat-session message on
the real time communications protocol connection to the other of the chat client and the
chat server.

2. (Amended) The method of Claim 1 wherein the embedding comprises
embedding a markup language instruction in the chat-session message, the markup
language instruction being a hyperlink instruction.

3. (Amended) The method of Claim 1 wherein:
the forming comprises forming a real time continuously open bi-directional
communications protocol connection between the chat client and the chat server; and
the sending comprises the one of the chat client and the chat server sending the
chat-session message on the real time continuously open bi-directional communications
protocol connection to the other of the chat client and the chat server.

4. (Amended) The method of Claim 1 wherein:
the forming comprises forming a real time chat communications protocol
connection between the chat client and the chat server; and

the sending comprises the one of the chat client and the chat server sending the message on the real time chat communications protocol connection to the other of the chat client and the chat server.

5. (Amended) A method for real time network communication, comprising:
forming a real time communications protocol connection between a chat client and a chat server over a network communications connection;

one of the chat client and the chat server receiving a first chat-session message on the real time communications protocol connection, the first chat-session message including a hyperlink instruction;

parsing the first chat-session message to identify the hyperlink instruction included therein; and

displaying the first chat-session message in accordance with the hyperlink instruction included therein.

6. (Amended) The method of Claim 5 and comprising:
one of the chat client and the chat server embedding a hyperlink instruction in a second chat-session message; and

the one of the chat client and the chat server sending the second chat-session message on the real time communications protocol connection to the other of the chat client and the chat server.

7. (Amended) The method of Claim 5 wherein the receiving comprises one of the chat client and the chat server receiving the first chat-session message on the real time communication protocol connection, the hyperlink instruction being associated with a document address, and comprising:

passing the document address to a document acquisition apparatus

8. (Amended) The method of Claim 5 wherein:
the forming comprises forming a real time chat communications protocol connection between the chat client and the chat server; and
the receiving comprises one of the chat client and the chat server receiving the first chat-session message on the real time chat communications protocol connection.

9. (Amended) The method of Claim 5 wherein:
the forming comprises forming a real time continuously open bi-directional communications protocol connection between the chat client and the chat server; and
the receiving comprises one of the chat client and the chat server receiving the first chat-session message on the real time continuously open bi-directional communications protocol connection.

10. (Amended) A method for real-time network communication, wherein the network includes TCP/IP connections formed between a plurality of chat clients and a host, and respective real time communications protocol connections formed between a chat client and a chat server over the TCP/IP connections, the method comprising:
one of a chat client and a chat server receiving a chat-session message including a hyperlink language instruction from the host through at least one of the real time communications protocol connections;
parsing the chat-session message in the client sent the message by the host; and
displaying the chat-session message in the client sent the message by the host in accordance with the hyperlink language instruction included therein.

11. (Amended) The method of Claim 10 wherein the receiving comprises one of the chat client and the chat server receiving the chat-session message including the

hyperlink language instruction, the hyperlink language instruction being associated with a document address, and comprising:

passing the document address to a document acquisition apparatus.

12. (Amended) The method of Claim 10 wherein the real time communications protocol connections between the chat client and the chat server are real time chat communications protocol connections, and wherein the receiving comprises one of the chat client and the chat server receiving the message from the host through at least one of the real time chat communications protocol connections.

13. (Amended) The method of Claim 10 wherein the real time communications protocol connections between the chat client and the chat server are real time continuously open bi-directional communications protocol connections, and wherein the receiving comprises one of the chat client and the chat server receiving the message from the host through at least one of the real time continuously open bi-directional communications protocol connections.

14. (Canceled)

15. (Amended) The method of Claim [14] 1 wherein the embedding comprises embedding the markup language instruction, the markup language instruction being an html instruction.

20. (Canceled)

21. (Canceled)

22. (Amended) A method for real time network communication, comprising:
forming a real time communications protocol connection between a chat client
and a chat server over a network communications connection;
one of the chat client and the chat server receiving a first chat-session message on
the real time communications protocol connection, the first chat-session message
including a markup language instruction;
parsing the first message to identify the markup language instruction included
therein; and
displaying the first chat-session message in accordance with the markup language
instruction included therein.

23. (Canceled)

24. (Amended) The method of Claim 23 wherein the receiving comprises one
of the chat client and the chat server receiving the first chat-session message, the
hyperlink instruction being associated with a URL; and comprising:
passing the URL to a Web browser.

25. (Amended) The method of Claim 22 wherein the receiving comprises one
of the chat client and the chat server receiving the first chat-session message, the markup
language instruction being a bold tag.

26. (Amended) The method of Claim 22 wherein the receiving comprises one
of the chat client and the chat server receiving the first chat-session message, the markup
language instruction being an italics tag.

27. (Amended) The method of Claim 22 wherein:

the forming comprises forming a real time chat communications protocol connection between the chat client and the chat server; and

the receiving comprises one of the chat client and the chat server receiving the first chat-session message on the real time chat communications protocol connection.

28. (Amended) The method of Claim 22 wherein:

the forming comprises forming a real time continuously open bi-directional communications protocol connection between the chat client and the chat server; and

the receiving comprises one of the chat client and the chat server receiving the first chat-session message on the real time continuously open bi-directional communications protocol connection.

29. (Amended) A communication client, comprising:

a computer for:

forming a real time communications protocol connection between a chat client and a chat server over a network communications connection;

one of the chat client and the chat server embedding a markup language instruction in a chat-session message; and

sending the chat-session message on the real time communications protocol connection.

33. (Amended) A communication client, comprising:

a computer for:

forming a real time communications protocol connection between a chat client and a chat server over a communications connection;

one of the chat client and the chat server receiving a chat-session message on the real time communications protocol connection;

parsing the chat-session message to identify a markup language instruction included therein; and

displaying the chat-session message in accordance with the markup language instruction included therein.

35. (Amended) The communication client of Claim 33, wherein the chat-session message is a first chat-session message, wherein the markup language instruction is a first markup language instruction, and wherein the computer is for:

sending a second chat-session message on the real time communications protocol connection; and

embedding a second markup language instruction in the second chat-session message.

39. (Amended) A communication server, comprising:
a computer for:

forming a real time communications protocol connection between a chat client and a chat server over a network communications connection; and

one of the chat client and the chat server receiving a chat-session message on the real time communications protocol connection, wherein the chat-session message includes a markup language instruction.

41. (Amended) The communication server of Claim 39 wherein the computer is for:

receiving the chat-session message from a first communication chat client; and

sending the chat-session message on the real time communications protocol connection to a second communication chat client.

42. (Amended) The communication server of Claim 39, wherein the chat-session message is a first chat-session message, wherein the markup language instruction is a first markup language instruction, and wherein the computer is for receiving a second chat-session message on the real time communications protocol connection, wherein the second chat-session message includes a second markup language instruction.

46. (Amended) A computer program product, comprising:
a computer application processable by a computer for causing the computer to:
 form a real time communications protocol connection between a chat client and a chat server over a network communications connection;
 one of the chat client and the chat server embed a markup language instruction in a chat-session message; and
 the one of the chat client and the chat server send the chat-session message on the real time communications protocol connection; and
apparatus from which the computer application is accessible by the computer.

50. (Amended) A computer program product, comprising:
a computer application processable by a computer for causing the computer to:
 form a real time communications protocol connection between a chat client and a chat server over a network communications connection;
 one of the chat client and the chat server receive a first chat-session message on the real time communications protocol connection, the first chat-session message including a markup language instruction;
 parse the first chat-session message to identify the markup language instruction included therein; and
 display the first chat-session message in accordance with the markup language instruction included therein; and

apparatus from which the computer application is accessible by the computer.

52. (Amended) The computer program product of Claim 50 wherein the computer application is processable by the computer for causing the computer to:

one of the chat client and the chat server embed a markup language instruction in a second chat-session message; and

send the second chat-session message on the real time communications protocol connection to the other of the chat client and the chat server.

56. (Amended) A computer program product, comprising:

a computer application processable by a computer for causing the computer to:

form a real time communications protocol connection between a chat client and a chat server over a network communications connection;

one of the chat client and the chat server embed a markup language instruction in a chat-session message; and

send the chat-session message on the real time communications protocol connection to the other of the chat client and the chat server; and

apparatus from which the computer application is accessible by the computer.

64. (Amended) A computer program product, comprising:

a computer application processable by a computer for causing the computer to:

form a real time communications protocol connection between a chat client and a chat server over a network communications connection;

one of the chat client and the chat server receive a first chat-session message on the real time communications protocol connection, the first chat-session message including a markup language instruction;

parse the first chat-session message to identify the markup language instruction included therein; and

display the first chat-session message in accordance with the markup language instruction included therein; and
apparatus from which the computer application is accessible by the computer.